IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5459 OF 2005

Shri. Kailash Bhimrao Mahajan ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri. D. H. Kumthekar for the Applicant.
Ms M. M. Deshmukh, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : AUGUST 24, 2005.

P.C.:

1. This is an Application for Anticipatory Bail. The Applicant is working as a clerk in Ambernath Municipal Council. Offence has been registered under sections 467, 468, 471, 420 read with section 34 of the Indian Penal Code. The allegation of the prosecution is that the Applicant was part of a team constituted for distributing the monitory help to the families who are affected by recent floods. The allegation is regarding commission of large scale irregularities while distributing the amount. The allegation is that the distribution was made at the instance of a Municipal Councillor. The allegation is that panchnamas are prepared in the office of Municipal Councillor. As held by the Apex Court gravity of the allegations and need for custodial interrogation are the only factors which are required to be considered for deciding the Application for Anticipatory Bail. In my view, considering the nature of allegations, need for custodial interrogation is established. No case is made out for grant of Anticipatory Bail. Application is rejected.

JUDGE